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3 **UNITED STATES DISTRICT COURT**
4 **NORTHERN DISTRICT OF CALIFORNIA**
5 **SAN JOSE DIVISION**
6

7 KRISTINE LEGASPI,
8 Plaintiff,

9 v.

10 SSC CARMICHAEL OPERATING
11 COMPANY LP, et al.,
12 Defendants.

Case No. 18-cv-01391-BLF

**ORDER RE PARTIES’
ADMINISTRATIVE MOTIONS**

[Re: ECF 25, 26]

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14 Defendants have filed an administrative motion to stay their ADR and discovery
15 obligations pending resolution of their “Motion to Dismiss Plaintiff’s Complaint as to Defendant
16 SavaSeniorCare, LLC and Motion to Compel Arbitration of Remaining Claims” (hereinafter
17 “Motion to Dismiss/Compel Arbitration”), which is set for hearing on October 4, 2018.

18 Plaintiff has filed an opposition to Defendants’ administrative motion and request for
19 extension of her deadline to oppose Defendants’ Motion to Dismiss/Compel Arbitration. Plaintiff
20 wishes to conduct jurisdictional discovery regarding Defendant SavaSeniorCare, LLC, which
21 seeks dismissal under Federal Rule of Civil Procedure 12(b)(2), and discovery regarding the
22 arbitration provision asserted by Defendants. Plaintiff has served special interrogatories and
23 document requests on Defendants, but their responses are due after Plaintiff’s deadline to oppose
24 Defendant’s Motion to Dismiss/Compel Arbitration.

25 Both parties’ requests are GRANTED IN PART. Defendants’ motion to stay their ADR
26 and discovery obligations is GRANTED, EXCEPT as to limited discovery related to arbitration
27 issues. Defendants shall respond to Plaintiff’s pending discovery requests to the extent they relate
28 to arbitration. Defendants also shall produce a witness pursuant to Federal Rule of Civil

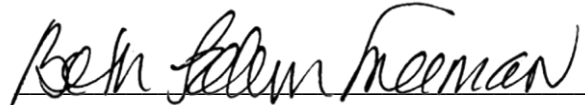
1 Procedure 30(b)(6) for a single deposition, not to exceed 2 hours, regarding Defendants'
2 contention that Plaintiff's claims are subject to arbitration.

3 Plaintiff may submit a renewed request for jurisdictional discovery, setting forth a
4 proposed discovery plan which specifies what discovery Plaintiff wishes to take and its relevance
5 to Defendants' Motion to Dismiss/Compel Arbitration. That request shall be filed as an
6 administrative motion, and any response to the motion shall be filed within 4 days.

7 The parties shall meet and confer regarding a revised briefing schedule for Defendants'
8 Motion to Dismiss/Compel Arbitration. In no event shall the reply be filed less than 2 weeks prior
9 to the October 4, 2018 hearing date.

10 **IT IS SO ORDERED.**

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12 Dated: May 31, 2018

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14 BETH LABSON FREEMAN
15 United States District Judge
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